

Conclusion

The claims have been amended by the Applicant to remove the indefinite language cited by the second examiner. The claims now contain positive steps in the body of the claims and the confusing line in the claims has been clarified. The Applicant has added a computer to claims 50 and 56 to help facilitate allowance of the application. The claims have physical things that are manipulated and treated in the invention claimed **and it is not legally necessary to have a computer perform any steps in the claims. Therefore, the Applicant submits the claims should now be considered allowable by the Examiner.**

Request For Constructive Assistance

5. The undersigned has made a diligent effort to amend the claims of this application so that they will comply structurally. If, for any reason, the claims of this application are not believed to be in full condition of allowance, applicant respectfully requests the constructive assistance and suggestions of the second Examiner in drafting acceptable claims pursuant to MPEP 707.07(3) or in making constructive suggestions pursuant to MPEP 706.03 (d) in order that this application can be placed in allowable condition as soon as possible and without the need for further proceedings.

Very Respectfully,

Durham R. Maples
Applicant Pro Se
1507 Park Circle
Camden, S.C.

I hereby certify that this correspondence
will be deposited with U.S. Postal
Service by ~~Express~~ Mail, postage
Prepaid, in an envelope addressed to
Commissioner of Patents and
Trademarks
Washington, D.C. 20231
on the date below.

Date: 3/12/03

Inventor's Signature: Durham R. Maples



In the United States Patent and Trademark Office

Application Number: 09/629,749

Appn. Filed: 07/31/00

Applicant: Durham Russell Maples, Camden, SC;

Application Title: A Method for Enhancing the Equity of a Business Entity

Art Unit: 3621

Examiner: Pierre Eddy Elisca

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Dear Mr. James Trammell:

The Applicant is writing in regards to the application 09/629,749. The Applicant is formally requesting that the application be placed with the second Examiner or review Examiner at this time. The application has previously been allowed by Examiner Pierre Eddy Elisca and reviewed by a second Examiner that I am assuming to be the supervisor James Trammell. The examination has already taken "double waiting time" to have two examiners exam the application which took from July 17, 2002 until February 21, 2003 for one PTO office action.

The first Examiner has allowed the application so the Applicant should not be made to wait while the application sits in a stack of patents to be examined by an Examiner who has already allowed the application previously. In all fairness to the Applicant the application (this amended response) should go directly to the second Examiner that rejected the claims in the last office action. The application will obviously have to wait in his stack of patents until he gets through examining those in line ahead of this application.

This may, in fact, be the procedure for a second round of "double examination" so that "business method" applications are not treated unfairly in regards to excessive time. The Applicant hopes that this the case but the last detailed action came with Examiner Elisca's signature and statement to contact him about any inquiries.

So the Applicant is making a formal request that application 09/629,749 not be subjected to excessive time delay that other "non-business method" applications do not have face. To that end this response of amended claims should be examined directly by the examiner that rejected the claims in the last detailed action.

The Applicant appreciates that there may be a need for the PTO to double check applications. The Applicant appreciates the efforts of the Examiners that are understaffed and underfinanced for the job they are asked to undertake. For this reason the Applicant wishes the Examiners to understand that this is not a complaint of the time already spent in the examination process but the desire to avoid the excessive and unnecessary time that would be

spent on a second round of double examinations to cover ground that has already been covered. This also adds more work to an overworked group of Examiners as well.

The Applicant is sending a copy of this letter and the amended response to Examiner Elisca by express mail to comply with date verification and the inquiry of communications stated in the last detailed action. The Applicant is also sending this letter to Examiner Trammell with a copy of the amended response. The Applicant respectfully requests that Examiner Trammell call the Applicant to inform him of the disposition of the response. In effect tell the Applicant how the second round of double examination will be conducted and by whom.

The Applicant, Dr. Durham R. Maples, can be reached from 9:15 A.M. to 5:00 P.M. at his office number 803-438-1177 and the home number is below. Thank you for your time.

Very Respectfully,

Dr. Durham R. Maples

Dr. Durham Russell Maples

1507 Park Circle

Camden, S.C.

803-425-4592

Art Unit: 3621

DETAILED ACTION

1. This Office action is in response to Applicant's amendment's, filed on 7/17/2002.
2. Claims 38-48 are pending.

CLAIM REJECTION- 35 USC 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 38-48 are rejected under 35 U.S.C. 112 second paragraph to because of the following informalities:

Claims 38-48 , in the preamble there are method steps. However in the body of the claim there are physical entities (" dept instrument", "business entity") along with functional language and no positively recited steps. This renders the claim indefinite. The scope of the claim is not ascertainable since it is not clear how these entities can make up a method.

Also in claim 38 the phrase "said share or shares of equity of said business entity" line 19 is confusing. It does not make any sense.

CLAIM REJECTIONS - 35 USC 101

5. 35 U.S.C. 101 reads as follow: